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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/484,316 | 01/18/2000 | Goro Asahi | 5000-4723 | 9561 |
| 27123 | 7590 | 02/08/2006 | EXAMINER | |
| MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101 | | | SENFI, BEHROOZ M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2613 | |

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/484,316 | ASAHI ET AL. | |
| | Examiner | Art Unit | |
| | Behrooz Senfi | 2613 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 November 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/21/2005 has been entered.

Response to Arguments

2. Applicant's arguments filed 9/28/2005 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 18 and 20 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al (US 6,275,754) in view of Schofield et al (US 5,949,331).

Regarding claim 1, Shimizu '754 teaches, an apparatus for aiding steering when a vehicle is being driven in reverse, the moving direction of the vehicle being

determined in response to the angle of steered wheels (figs. 3A – 3C), comprising: a camera for capturing an image of an area behind the vehicle (i.e. fig. 1, television cameras S6, col. 10, lines 28), a monitor for displaying the image captured by the camera (fig. 1, stage display unit 11, col. 5, lines 34 - 36), a detector for detecting the angle of the steered wheels (aiding the steering wheels of the vehicle, would necessitate the detection of the steering angle, fig. 7, col. 4, lines 57 - 58), a display control unit (fig. 1, controller 22, controls the aiding steering based on the receive signals from the steering angles detection, and also controls the operation stage of display 11, col. 5, lines 30 - 36) for displaying a guide marking for aiding steering, the marking and the image being simultaneously displayed on the monitor when the vehicle is being driven in reverse (figs. 4 – 6 and 10 – 18, shows the guide marking, which is used to assist and/or aid steering for parking the vehicle, thus is being displayed on the display 11), and as for, marking provides a driver with at least first and second indications, see (figs. 10, 15 and 17, the first indication is the path between, the first position to the second position (Po to Qo) and the second indication is the path between, the second position to the last or final position (Qo to Ro), wherein the first indication continuously showing a path of the vehicle corresponding to the angle of zero degrees of the steered wheels regardless of the current angle of the steered wheels (looking at fig. 17, first indication path, which is between the center points of the vehicle in the first/original position and the vehicle in the second position, which is parallel to the contact plane, therefore, the path corresponds to the angle of zero degrees regardless of the angle of the steered wheels, since the path is sort of a parallel/straight line) and

wherein the second indication is simultaneously displayed with the first indication and shows a prospective path of the vehicle corresponding to the current angle of the steered wheels detected by the detector (figs. 13 – 18, shows first and second indication on the display, and the second indication shows a prospective path of the vehicle corresponding to the detected angle of the steered wheels), furthermore it is noted that, the width of the vehicle, which is an essential element in assisting or guiding a vehicle for parking purpose, is being considered in automatic parking assistance system of Shimizu (i.e. figs. 12 and 16).

Shimizu patent is silent in regards to explicitly mention, a fixed reference guide displaying vehicle width projecting behind the vehicle.

However such features are well known and used in the prior art of the record as evidenced by Schofield (fig. 6, 70A and 70B, col. 10, lines 28 – 55) where teaches a display having image enhancements, which includes graphic overlay 70a and 70b, that will be displayed only when the vehicle is in reverse gear position for guiding the vehicle.

Taking the combined teaching of Shimizu and Schofield as a whole, it would have been obvious to one skilled in the art at the time of the invention was made to enhance the imaging system of Shimizu by using fixed graphic overlays to illustrate/display the anticipated path of movement of vehicle in reverse position as taught by Schofield (fig. 6, 70A and 70B, col. 10, lines 28 – 55).

Regarding claim 2, combination of Shimizu and Schofield teaches, display control unit calculates the prospective path assuming that the vehicle is moved in

reverse on the basis of information from the detector (as discussed with respect to claim 1, controller 22, receives the signals/information from the detector and based on those information displays/determines the guide path, figs. 4 – 6 of Shimizu) and the second indication of the marking represents the width of the vehicle and extends behind the rear end of the vehicle by a predetermined distance (figs. 4 – 6, marking represents the width of the vehicle and extends behind the rear end of the vehicle of Shimizu).

Regarding claim 3, combination of Shimizu and Schofield teaches, second indication of the marking includes a pair of the marks that extends behind the rear end of the vehicle along the prospective path and are spaced apart from each other by the width of the vehicle (as discussed with respect to claim 2, figs 4 – 5, shows marking includes a pair of the marks that extends behind the rear end of the vehicle along the prospective path and are spaced apart from each other by the width of the vehicle of Shimizu).

Regarding claim 4, combination of Shimizu and Schofield teaches, the marking includes a pair of the marks that extends behind the rear end of the vehicle along the prospective path and are spaced apart from each other by the width of the vehicle, as discussed with respect to claim3, would cover the limitations, second indication of the marking includes an indication defined by two points that are spaced apart approximately by the width of the vehicle, as claimed.

Regarding claim 5, combination of Shimizu and Schofield teaches, the second indication of the marking includes an end mark that approximately indicates the width of the vehicle in appearance at an apparent predetermined distance behind the rear end of

the vehicle on the prospective path and the mark extending from the end mark toward the rear end of the vehicle, wherein the side marks are spaced apart approximately by the apparent width of the vehicle (figs. 4 – 6 of Shimizu shows the end mark and the side marking).

Regarding claim 6, combination of Shimizu and Schofield teaches, second indication of the marking further includes two intermediate marks appearing between the end mark and the rear end of the vehicle, reads on Shimizu marking path.

Regarding claim 7, combination of Shimizu and Schofield teaches, wherein the predetermined distance appears to be approximately the same as the wheelbase of the vehicle (fig. 3, wherein shows the parking spot and the path for parking of Shimizu).

Regarding 8 – 9, combination of Shimizu and Schofield teaches, display control unit calculates the prospective path of the movement of the vehicle based on the positional relationship, as discussed with respect to Shimizu patent in claim 1.

It is noted that combination of Shimizu and Schofield is silent in regards to particularly show, using polar coordinates for calculation of prospective path and using radial line for determining the end mark on the second indication of the marking. Examiner takes Official Notice to note that, calculating a prospective path using a polar coordinates are well known and used in the conventional art, particularly for non-linear, circular dynamics and also in 3-D environment. In view of the above, it would have been obvious to one skilled in the art at the time of the invention was made to use such well known teaching for non-linear calculation.

Regarding claim 10, combination of Shimizu and Schofield teaches, display control unit displaces the indication of the prospective path in the direction of vehicle movement (i.e. figs. 3a – 3b, 15 of Shimizu).

Regarding claims 11 - 12, combination of Shimizu and Schofield teaches, display control unit calculates the prospective path using the information from the detector/sensors and consideration of the vehicle speed, as discussed earlier in the above action. But is silent in regards to determining the steering speed. However such features is an inherent function, which is necessitated by the process of vehicle automatic steering as taught by Shimizu.

Regarding claim 13, combination of Shimizu and Schofield is silent in regards to; guide marking is displayed in color. Examiner takes Official Notice to note that the use of different color for ease of identification and/or tracking and/or as a guidance is notoriously well known and used in the prior art of the, like color coding. Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to implement such teachings as they are so well known in the prior art of the record for ease of identification.

Regarding claim 14, the limitations claimed are substantially similar to claim 1; therefore the grounds for rejecting claim 1 also applies here. Furthermore, for additional limitations, displaying marker that is fixed at a predetermined position with respect to monitor for aiding a driver in parking, (figs. 14 – 16 and 18 shows marker P, R and/or Q, that are being displayed on the monitor and are used for aiding the vehicle in parallel parking) and as for moving the vehicle in reverse so as to cause the marker to coincide

with a corner of a parking space displayed on the monitor followed by backing while keeping the steered wheels turned at their maximum angle, reads on (the graph on the bottom of fig. 7, where shows the traveling distance with respect to the steering angle of the wheel that is being controlled by the controller 22, and figs. 14 – 16 and 18, shows the vehicle moving in reverse, which essentially cause the marker to coincide with a corner of a parking space).

Regarding claim 15, the limitations claimed have been analyzed and rejected with respect to claims 1, 3 and 5 above.

Regarding claims 16 – 17, combination of Shimizu and Schofield teaches, marker includes a first marker used when performing parallel parking to the left and second marker used when performing parallel parking to the right (in claim 16) and first marker and second marker are selectively displayed depending on the left or right parking operation (in claim 17), reads on (four step options for parking, as shown in fig. 1 of Shimizu).

Regarding claim 18, combination of Shimizu and Schofield teaches, detection of Obstacle existent, control unit displays the presence of the obstacle on the monitor (i.e. figs 4 – 5, col. 1, lines 27+ of Shimizu).

Regarding claims 20 – 21, combination of Shimizu and Schofield teaches, correcting means to correct the prospective path, wherein the display control unit generates the second indication based on the corrected prospective path (in claim 20), and correction means corrects the prospective path according to the current steering

speed of the steered wheels (i.e. figs. 11 and 13, col. 3, lines 1 – 26 and col. 6, lines 25 – 35 of Shimizu).

¶. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al (US 6,275,754) in view of Schofield et al (US 5,949,331) further in view of Franke et al. (US 5,485,378).

Regarding claim 19, the limitations claimed are the methods corresponding to the apparatus for aiding steering when a vehicle is being driven in reverse of claim 1, which have been analyzed and rejected with respect to claim 1 above.

Furthermore, combination of Shimizu and Schofield is silent in regards to the additional limitation of, vehicle proceed on a route when the vehicle is driven so that the second indication is positioned at a center of the route, the route being an image of a way behind the vehicle actually displayed on the monitor.

However, such features are well known and used in the prior art of the record, as evidenced by Franke (i.e. fig. 2, col. 2, lines 11+) where teaches steering and control the course of a vehicle with respect to lane boundary (center strip). Since Shimizu '754 uses the same cameras in the back and around/side of the vehicle and control section for controlling the position of the vehicle in reverse course (e.g. with video cameras) and on the basis of this data control the steering of the vehicle.

Therefore, taking the combined teaching of Shimizu, Schofield and Franke as a whole, it would have been obvious to modify the steering system of Shimizu as taught by Franke, for the purpose of maintaining a controlled course (distance) with respect to the center strip of the route behind the vehicle, as suggested by Franke.

Contact

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, Va. 22314.

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(571) 272-6000**,

Or faxed to:

(571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B.M.S.

2/3/2006

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